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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,824	09/11/2003	Donald A. Schon	MED-0005C1	5942
33941	7590	08/26/2005	EXAMINER	
MONTE & MCGRAW, PC 4092 SKIPPACK PIKE P.O. BOX 650 SKIPPACK, PA 19474			ROBINSON, DANIEL LEON	
			ART UNIT	PAPER NUMBER
			3742	

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**supplemental
Notice of Allowability**

Application No.

10/659,824

Examiner

Daniel I. Robinson

Applicant(s)

SCHON ET AL.

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to election of 1-13-2005.
2. ☒ The allowed claim(s) is/are 42-54.
3. ☒ The drawings filed on 10 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

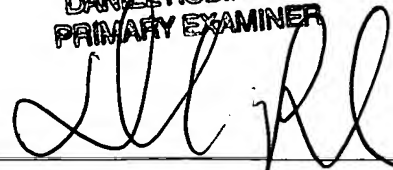
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/03.
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DANIEL ROBINSON
PRIMARY EXAMINER



Response to Election and Amendment

Election/Restrictions

Applicant's election with traverse of Claims 42-54 in the reply filed on 1-13-2005 is acknowledged. The traversal is on the ground(s) that a preliminary amendment cancelled Claims 1-41 and added new and non-restricted Claims 42-54. This is found persuasive. The restriction requirement is rescinded and moot.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In Claim 53(second one listed)

delete "53" and insert therein ---54---

In Claim 54

Delete "54" and inset therein ---55---

Allowable Subject Matter

Claims 42-55 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record neither teaches or suggests a splittable multi-lumen catheter assembly as claimed whereas a first lumen disposed on a first side of the longitudinal plane, wherein

the first lumen includes a first distal end tube, wherein the first distal end tube includes at least one of a tongue and a groove disposed proximate to the longitudinal plane; and a second lumen disposed on a second side of the longitudinal plane, wherein the second lumen includes a second distal end tube, wherein the second distal end tube includes at least the other of the tongue and the groove disposed proximate to the longitudinal plane; wherein each of the at least one tongue is displaceable across the longitudinal plane into a respective at least one groove and wherein the first and second distal end tubes are splittable along the longitudinal plane from each other by removing at least a portion of each of the at least one tongue from at least a portion of each of the at least one groove..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sckweikert, Butler, Graf, Lurie, McIver, and Willard are cited to show structure similar to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel I. Robinson whose telephone number is 571-272-4788. The examiner can normally be reached on M-F 5:30am-2:30pm.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dlr

DANIEL ROBINSON
PRIMARY EXAMINER

